

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE MISONIX, INC. STOCKHOLDER
DERIVATIVE LITIGATION

This Document Relates To:

ALL DERIVATIVE ACTIONS.

Lead Case No. 2:17-cv-03385-ADS-AYS

(Consolidated with No. 2:17-cv-03657)

Honorable Arthur D. Spatt
Courtroom 1020

STIPULATION AND [PROPOSED] ORDER

WHEREAS, the deadline for plaintiffs to file their consolidated complaint is currently set for July 10, 2018;

WHEREAS, plaintiffs have requested and obtained information from the defendants, are continuing to evaluate that information in connection with this derivative action and plaintiffs' forthcoming consolidated complaint, and are in discussions with defendants about further information exchanges relevant to the case;

WHEREAS, the parties have met and conferred and agree that, to facilitate the parties' continued exchanges of information and plaintiffs' evaluation of information provided by defendants, the deadline for plaintiffs to file their consolidated complaint should be continued from July 10, 2018 to July 16, 2018;

WHEREAS, in the event the Court does not enter an order consistent with this stipulation, defendants will not argue that plaintiffs failed to timely file their consolidated complaint to the extent plaintiffs file a consolidated complaint within a reasonable period in light of the July 10, 2018 due date; and

WHEREAS, the parties have entered into this stipulation in furtherance of the interests of judicial efficiency and not for purposes of delay;

NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully request that the Court enter an Order as follows:

1. Plaintiffs shall file their consolidated complaint on or before July 16, 2018.
2. Defendants shall move to dismiss or answer the consolidated complaint on or before September 17, 2018.

IT IS SO STIPULATED.

Dated: July 9, 2018

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Dated: July 9, 2018

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Counsel for Nominal Defendant Misonix, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

HONORABLE ARTHUR D. SPATT
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

I, David C. Katz, hereby certify that a true and correct copy of the foregoing document was filed via the Court's ECF system and will be electronically served on all counsel of record.

Dated: July 9, 2018



DAVID C. KATZ